

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

BRIAN SCOTT PATE, #229 345

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Petitioner,

*

v.

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1:06-CV-500-MHT

TERRANCE MCDONNELL, WARDEN,
et al.,

*

*

Respondents.

ORDER ON MOTION

Upon consideration of Petitioner's *Motion for Leave to File a Motion to Expand the Record*, see Rule 7, *Rules Governing Section 2254 Cases in the United States District Courts*, and for good cause, it is

ORDERED that the motion (Doc. No. 24) be and is hereby **GRANTED**.

Petitioner requests that Respondents be ordered to produce the following documents and/or records:

- A copy of the transcript of Petitioner's guilty plea colloquy and plea hearing;
- A copy of the twelve indictments filed in Petitioner's criminal case;
- A copy of Petitioner's Rule 32 hearing transcript; and
- A copy of "any and all other papers, exhibits, *etc.*, that pertain to this case that have not yet been supplied to the court."

Petitioner's request to expand the record to include the documents and transcripts listed above has been read, considered, and shall be denied. In light of Petitioner's post-conviction procedural history, the court concludes that production of additional records is not indicated at this time.

In light of the foregoing, it is ORDERED that Petitioner's Motion to Expand the Record be and is hereby DENIED.

Done, this 28th of November 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE